

1
2
3
4
5
6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 UNITED STATES OF AMERICA,
10
11 Plaintiff,

Case No. CR10-349-JLR

12 v.

13 DOROND ALFRED BRAY,
14 Defendant.

**PROPOSED FINDINGS OF FACT
AND DETERMINATION AS TO
ALLEGED VIOLATIONS OF
SUPERVISED RELEASE**

15 **INTRODUCTION**

16 I conducted a hearing on alleged violations of supervised release in this case on March 19,
17 2012. The defendant appeared pursuant to a warrant issued in this case. The United States was
18 represented by Francis Franze-Nakamura, and defendant was represented by Kyana Stephens. A
19 probation officer was not present at the hearing. The proceedings were digitally recorded.

20 **SENTENCE AND PRIOR ACTION**

21 Defendant was originally sentenced on February 7, 2012, by the Honorable Edward F. Shea,
22 United States District Judge, Eastern District of Washington for Carrying a Firearm During and
23 in Relation to a Crime of Violence, Armed Bank Robbery, and Armed Credit Union Robbery.
He received 120 months of detention and 5 years of supervised release. On November 22, 2010,
jurisdiction of this case was transferred from the Eastern District of Washington to the Western

1 District of Washington.

2 On August 18, 2011, the Court approved the issuance of a warrant which alleged that the
3 defendant had violated his conditions of supervision by failing to report for drug testing, use of a
4 controlled substance, failing to notify the probation officer of any contact with law enforcement,
5 committing the crime of assault, failing to submit monthly reports, and failing to report as
6 instructed.

7 On September 16, 2011, the Court revoked Mr. Bray's supervised release and sentenced him
8 to 4 months custody to be followed by 4 years supervised release. Mr. Bray is subject to the
9 standard conditions of supervision in addition to the added special conditions which require him
10 to participate in a substance abuse treatment program which may include testing, submit to a
11 search participate in a mental health treatment program, register as required under the Sex
12 Offender Registration and Notification Act, participate in a sexual deviancy evaluation,
13 participate in sexual deviancy treatment if directed by a treatment provide, follow all lifestyle
14 rules, residence shall be pre-approved, pay restitution in the amount \$11, 701,01, provide his
15 probation officer with access to any financial information, shall not associate with any known
16 gang members, and reside in a residential reentry center for up to 120 days.

17 **PRESENTLY ALLEGED VIOLATIONS**

18 In an initial petition dated February 15, 2012, Senior U.S. Probation Officer Steven R.
19 Gregoryk alleged that defendant violated the following conditions of supervised release:

- 20 1. Failure to participate in a residential reentry center for a period of 120 days, in
21 violation of the special condition of supervision which requires the defendant to
participate.

22 In a Supplemental Violation Report dated March 13, 2012, Senior U.S. Probation Officer
23 Steven R. Gregoryk alleged that defendant violated the following conditions of supervised

1 release:

- 2 2. Failure to maintain sex offender registration pursuant to the Sex Offender
3 Registration Act ("SORNA") and the Washington State Registration Requirements,
4 R.C.W. § 9A.44.130, all pursuant to the condition which requires the defendant to
5 comply with the requirements of registration.

6
7 **FINDINGS FOLLOWING EVIDENTIARY HEARING**

8 The Government dismissed Violation 2. Defendant admitted to Violation 1, waived any
9 hearing as to whether it occurred, and was informed the matter would be set for a disposition
10 hearing on April 2, 2012 at 11:00 a.m. before District Judge James L. Robart.

11 **RECOMMENDED FINDINGS AND CONCLUSIONS**

12 Based upon the foregoing, I recommend the court find that defendant has violated the
13 conditions of his supervised release as alleged above, and conduct a disposition hearing.

14 DATED this 19th day of March, 2012.

15
16
17
18
19
20
21
22
23

BRIAN A. TSUCHIDA
United States Magistrate Judge